Message Text

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E.O. 11652: N/A

TAGS: ETRD, EFTA, XG, PO

SUBJ: PUBLIC SUPPLY PROCUREMENT IN EFTA

REF: A-3063

FOLLOWING ARE RESPONSES OF GOP OFFICIAL CARLOS E.R. LOURENCO, SECRETARY OF THE OFFICE OF FOREIGN TECHNICAL ECONOMIC COOPERATION. TO OUESTIONS POSED REFAIR:

A. PORTUGUESE COMPANIES HAVE NEVER BEEN COMPETITIVE IN MARKET AND EFTA PUBLIC PROCUREMENT GUIDELINES HAVE HAD LITTLE IMPACT.

B. PORTUGAL'S LEGISLATION HAS NOT CONFORMED WITH EFTA GUIDELINES.

C. NO

D. AGAIN, LACK OF COMPETITIVENESS OF PORTUGUESE COMPANIES HAS PRECLUDED THEM FROM HAVING APPRECIABLE SUPPLY ROLE IN EFTA. E. GOP PUBLISHED SUPPLY NEEDS IN LOCAL NEWSPAPERS, INFORMATION FROM WHICH EFTA EMBASSIES COULD FORWARD TO THEIR RESPECTIVE CAPITALS.

F. GOP OFFICIAL DISCLOSED ONLY THAT THE SWISS GOVT. COM-PLAINED BECAUSE SWISS SUBSIDIARY COMPANIES IN PORTUGAL DID NOT, UNDER PORTUGUESE LAW, POSSESS SUFFICIENT CAPITAL TO BID ON GOVERNMENT TENDERS.

G. ACCORDING TO SAME OFFICIAL, GOP HAS OFTEN DEROGATED FROM THE NON-DISCRIMINATION PRINCIPLE OF EFTA GUIDELINES LIMITED OFFICIAL USE

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TO BUY EXCLUSIVELY FROM DOMESTIC SOURCES. ALTHOUGH UNDERTAIN OF CURRENT PRACTICE, OFFICIAL SPECULATED THAT LACK OF FOREIGN EXCHANGE FORCES GOP TO PROCURE DOMESTICALLY WITHOUT REGARD TO POTENTIAL EFTA SUPPLIERS.

H. THERE IS VERY LITTLE RECOURSE FOR SUPPLIERS FROM OUTSIDE THE PURCHASING COUNTRIES, ASIDE FROM A PROTEST TO THE GOP.

I. SURVEILLANCE MACHINERY HAS LONG BEEN DISCUSSED BY EFTA MEMBERS BUT GOP OFFICIAL UNAWARE WHETHER THIS WAS EVER IMPLEMENTED.
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